

Decision 01-12-026

December 11, 2001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Office of Ratepayer Advocates,

Complainant,

vs.

Pacific Bell Telephone Company
(U 1001 C)

Defendant.

Case 00-08-053
(Filed August 25, 2000)**ORDER STAYING ORDERING PARAGRAPH
NUMBER 5 OF DECISION 01-08-067**

Decision (D.) 01-08-067 was mailed on August 29, 2001. On September 19, 2001 Pacific Bell Telephone Company (Pacific) wrote our Executive Director seeking an extension of time until October 15, 2001 for compliance with Ordering Paragraphs Nos. 4 and 5. Specifically, Pacific sought additional time to remove its Prompted Repeat Dialing message from all California lines, thus rendering its compliance with Ordering Paragraph No. 4 moot. It also sought stay of Ordering Paragraph No. 5 until the Commission acted on a request for stay that Pacific anticipated filing in addition to an application for rehearing of the decision. The Executive Director granted Pacific until October 15, 2001 to cease providing Prompted Repeat Dialing, and until October 24, 2001 to comply with Ordering Paragraph No. 5. Pacific timely applied for rehearing of D.01-08-067 on September 28, 2001, and on that same date it filed a motion to stay, seeking an order from the Commission staying the operation and enforcement of Ordering Paragraph No. 5 pending disposition of its application for rehearing.

On October 19, 2001, Pacific again wrote our Executive Director seeking a further extension of time, until December 14, 2001, to comply with Ordering Paragraph No. 5. The Executive Director granted that request on October 23, extending Pacific's time to comply with Ordering Paragraph No. 5 until December 14, 2001.

Disposition of Pacific's application for rehearing of D.01-08-067 will not occur until after December 14, 2001. Accordingly, in light of the facts at issue in this matter, we believe there is good cause in staying Ordering Paragraph No. 5 until further order of the Commission.

THEREFORE, IT IS ORDERED that:

1. Ordering Paragraph No. 5 of Decision 01-08-067 is stayed until further order.

This order is effective today.

Dated December 11, 2001, at San Francisco, California.

LORETTA M. LYNCH

President

HENRY M. DUQUE

RICHARD A. BILAS

CARL W. WOOD

GEOFFREY F. BROWN

Commissioners